



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
2890 WOODBRIDGE AVENUE
EDISON, NEW JERSEY 08837-3679

Via Electronic Mail To: diana_marcellino@pall.com

Docket No. F-02-2020-5011

Diana Marcellino
Pall Corporation
25 Harbor Park Drive
Port Washington, NY 11050

Re: NOTICE OF REFUSAL OF ADMISSION
Import of EcoTech Wipes

Dear Ms. Marcellino:

In connection with the enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA" or the Act), as amended, 7 U.S.C. § 136, *et seq.*, the United States Environmental Protection Agency – Region 2 ("EPA" or the "Region") has examined samples or other evidence with respect to the following shipment:

Product Name: EcoTech Wipes
EPA Reg. No.: None
EPA Establishment No.: None
Importer: Pall Corporation
Bill Number: P327597 and P329679
Entry Number: No entry filed
Entry Dates: 04/08/20 and 04/11/20
Entry File Date: No entry filed
Port of Entry: 4701 – JFK Airport
Origin: U.K.
Amount: 350 units, 2980 pounds

You were previously notified via a Notice of Detention and Hearing, dated April 17, 2020, that the above-referenced product appears to be out of compliance with the Act and therefore subject to refusal of admission. The April 17, 2020 Notice further afforded you an opportunity to explain why the shipment should not be destroyed or refused entry. No material demonstrating that the products are in compliance with the Act and eligible for entry has been submitted to EPA Region 2. On April 14, 2020, Kristen Ridarick of my staff received a phone call from you inquiring if the imported product needed to be

declared to EPA. You explained Pall Corporation imported two shipments of the product and did not file a Notice of Arrival (NOA) with EPA. You emailed EPA a photo of the product label and a Safety Data Sheet. The label documents a claim for “surface disinfectant wipes.” The product label does not bear an EPA registration number or an EPA producer establishment number. The wipes in the shipments referred to above are therefore pesticides that are not registered under FIFRA § 3(a), 7 U.S.C. § 136a(a). Later on April 17, 2020, you sent an email to EPA stating Pall would export the merchandise. Unregistered pesticides are prohibited from sale and distribution in the U.S.; therefore, the products are in violation of FIFRA § 12(a)(1)(A), 7 U.S.C. § 136j (a)(1)(A).

EPA therefore hereby notifies you that your merchandise has been refused admission. You must export this merchandise, under supervision of the U.S. Customs and Border Protection (CBP) and within ninety (90) calendar days from the date of this Notice or within such additional time as EPA or the District Director of CBP specifies or dispose of the products. Failure to do so may result in either the destruction of the merchandise as authorized by the Act, or, if the shipment has been released to you under bond, in any action necessary to enforce the terms of said bond.

EPA acknowledges that the COVID-19 pandemic may be impacting your business. If that is the case, we will consider your specific circumstances in determining an appropriate timeline for responding to this order, while still ensuring that the Agency receives the information it needs to timely confirm your company’s compliance with FIFRA.

If you have any questions, please contact Kristen Ridarick at 732-321-4459 or Ridarick.kristen@epa.gov.

Sincerely,

for Dore LaPosta, Director
Enforcement & Compliance Assurance Division

cc: Kathleen Currid, Import Specialist Branch Chief, U.S. Customs and Border Protection at JFK,
Kathleen.a.currid@cbp.dhs.gov